THE HON'BLE THE ACTING CHIEFJUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.No.2181 of 2005

DATE: 19-12-2007

Between:

1. Velugode Balancing Reservoir
(Telugu Ganga Project)
Munaka Baditha Rythanga Sangham
Rep. by its Secretary
Sri W.Siva Rami Reddy & others ... Petitioner

And

The Government of A.P.
Rep. by Prl. Secretary of Finance
Department, Secretariat, Hyderabad
And another ... Respondents

THE HON'BLE THE ACTING CHIEFJUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.No.2181 of 2005

ORDER: (per **THE HON'BLE THE ACTING CHIEFJUSTICE BILAL NAZKI)**

This writ petition is pending since 2005. It is related to quantum of compensation payable to the decree holder for the land acquired under the provisions of the Land Acquisition Act. Many orders have been passed earlier and on the last occasion it was stated that still certain amounts have not been paid although the decrees passed in favour of the land owners have become final. Therefore, we had suggested to the Learned Advocate General that there be a Committee under the Chairmanship of the Chief Secretary to monitor the issues and see that the compensation reaches the claimants expeditiously in all those cases in which the decrees have become final, because, we thought it appropriate that the Chief Secretary monitors the matter rather than the High Court. In the affidavit filed by the Secretary to Government, I & CAD Department, A.P. Secretariat, Hyderabad in paragraph 7 in has been stated:

"It is submitted that the Government have decided to constitute a committee to monitor the decretal charges pertaining to land acquisition under the Chairmanship of the Chief Secretary to Government, Principal Secretary to Government, Revenue Department as Convener, Principal Secretaries,

Finance (W & P) and (BG), Secretary to Government, Social Welfare Department, Secretary to Government, Irrigation & CAD (PW) Department and Secretary to Government, Roads and Buildings Department as members".

On our suggestion, the Learned Advocate General has also accepted that the Member Secretary of State Legal Services Authority will be nominated as member of the said Committee so that in the matters which are referred to Lok Adalat, the Member Secretary of the State Legal Services Authority who is a District Judge would be able to maintain coordination with the courts across the State.

Certain particulars have been given with reference to certain amounts which have not been paid, in paragraphs 4, 5 and 6 of the affidavit. The government undertakes to pay the amounts mentioned in paragraphs 4 and 5 by 31.3.2008 and it further undertakes to pay the amount mentioned in paragraph 6 by 30.6.2008. We allow this request for and direct that the amounts be paid in accordance with the schedule mentioned in the affidavit. Sri K.Pratap Reddy, learned counsel for the petitioners in W.A.M.P.No.30142 of 2007 submits that several persons want compensation to be paid through regular court proceedings and not through the mechanism under the Lok Adalats.

The Lok Adalats decide matters with the consent of the parties and if any of the claimant is not interested in approaching the Lok Adalat and receive the compensation, he is free to do so, but in such a situation the claimant himself must be present in person before the concerned court and give an application along with affidavit that he is not interested in approaching the Lok

Adalat. The claimant shall appear in person and the Court shall not entertain any application on behalf of any claimant in the absence of the claimant himself.

With the above observations, the writ petition is disposed of. No order as to costs.

BILAL NAZKI, ACJ

Date: 19.12.2007

RAMESH RANGANATHAN, J

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